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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,397	10/14/2003	Robert M. Sands	A36038-072861.0121	6839

21003 7590 09/29/2004

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EXAMINER

GREEN, ANTHONY J

ART UNIT PAPER NUMBER

1755

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/686,397

Applicant(s)

SANDS ET AL.

Examiner

Anthony J. Green

Art Unit

1755

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/14/03 & 12/5/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1 the phrase "granules comprising an ice-melting property" is confusing as it is unclear as to how the granules comprise this property. That is, is the urea treated in some way to have this property? Clarification is requested. The phrase "granules configured for reducing granule caking" is confusing as it is unclear as to how the granules are configured to reduce granule caking. The phrase "is configured for said ice-melting....when in storage" is confusing as it is unclear as to how the blend is configured to do this. Is applicant merely trying to claim a mixture of the 2 or what? Clarification is requested.

Claim 4 is vague and indefinite. It is unclear as to what is meant by the phrase "catalyze said ice-melting by said formaldehyde coated urea granules" What is applicant trying to say? Clarification is requested.

Claim 6 is confusing and fails to further limit claim 1 as it is unclear as to how the use of a composition further limits the composition itself.

In claim 7 the phrase "granules comprising an ice-melting property" is confusing as it is unclear as to how the granules comprise this property. That is, is the urea

treated in some way to have this property? Clarification is requested. The phrase "granules configured for reducing granule caking" is confusing as it is unclear as to how the granules are configured to reduce granule caking. The phrase "is configured for said ice-melting...when in storage" is confusing as it is unclear as to how the blend is configured to do this. Is applicant merely trying to claim a mixture of the 2 or what? Clarification is requested.

Claim 9 is confusing as it is unclear as to how this step further limits the method of preparing the blend. That is, since claim 7 is concerned with a method of preparing a blend how can the step of dispensing further limit this method?

Claims 10 and 11 are confusing as written as it is unclear as to what exactly applicant is trying to say in these claims. That is, what is meant by "so as to provide said granule blend being optimized" and "beingurea granules rich"? Clarification is requested.

Claim 13 is vague and indefinite. The phrase "granules comprising an ice-melting property" is confusing as it is unclear as to how the granules comprise this property. That is, is the urea treated in some way to have this property? Clarification is requested. The step of "reducing a caking of said granules" is vague and indefinite as it is unclear as to how this is performed. The steps of "initiating said ice-melting" and "activating said formaldehyde....for ice melting...following said initiating" are confusing and vague and indefinite as it is unclear as to what exactly applicant is trying to say and as to how these steps are performed.

Claim 14 is confusing as it is unclear as to how the step of storing said granule blend in a dispenser further limits the method of ice-melting.

Claims 16 and 17 are confusing as written as it is unclear as to what exactly applicant is trying to say in these claims.

In claim 20 the phrase "granules comprising an ice-melting property" is confusing as it is unclear as to how the granules comprise this property. That is, is the urea treated in some way to have this property? Clarification is requested. The phrase "granules configured for reducing granule caking" is confusing as it is unclear as to how the granules are configured to reduce granule caking. The phrase "is configured for said ice-melting....when in storage" is confusing as it is unclear as to how the blend is configured to do this. Is applicant merely trying to claim a mixture of the 2 or what? Clarification is requested.

Allowable Subject Matter

3. Claims 1-22 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Information Disclosure Statement

4. The references cited by applicant, with the exception of GB875730, have been considered and are not seen to teach and/or fairly suggest the instant invention. GB875730 has not been considered as a copy of this reference has not been provided and is unavailable to the examiner.


References Cited By The Examiner

5. The references are cited as showing the general state of the art and as such, they are not seen to teach or fairly suggest the instant invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony J. Green whose telephone number is 571-272-1367. The examiner can normally be reached on Monday-Thursday 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark L. Bell can be reached on 571-272-1362. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Anthony J. Green
Primary Examiner
Art Unit 1755

ajg
September 27, 2004